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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,390	10/15/2003	Ping-Hui Ho	FAM 179	4449
7590 07/26/2005			EXAMINER	
RABIN & BERDO, P.C.			TRUONG, BAO Q	
Suite 500			ART UNIT	
1101 14th Street, N.W.			PAPER NUMBER	
Washington, DC 20005			2875	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/684,390

Applicant(s)

HO ET AL.

Examiner

Bao Q. Truong

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hsu [US 5,552,973].

Regarding claim 1, Hsu discloses a self-generating flashlight having a housing [1, 11], an inner space [19], a generator set including a cord [52], a pull ring [53], a lighting set including a light-emitting body [7], a control switch [18], and a control circuit [4] (abstract, figures 1-5).

Regarding claim 2, Hsu discloses a first and second shell [1, 11] (figures 1-3).

Regarding claim 3, Hsu discloses a control switch opening [for switch 18] and a lampshade [with a cap 12] (figures 1-3).

Regarding claim 4, Hsu discloses an accessory clip [upper end of shell 11] (figure 1).

Regarding claim 5, Hsu discloses a reflection mirror [13] (figure 1).

Regarding claim 6, Hsu discloses a power-generating member [21], a flywheel [2], a transmission shaft [22], a relay ratchet [3], a first casing [54], a second casing [55] and a driving wheel [5] (figure 1).

Regarding claim 7, Hsu discloses a power-generating member [21] including more than one contact to connect to control circuit [4] and wires (figures 1-3).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of Robinett et al. [US 6,563,269].

Regarding claim 8, Hsu discloses a light bulb [7] in a flashlight, but does not disclose the light emitting diode.

Robinett et al. discloses a LED in a flashlight (abstract).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the light bulb of Hsu by the LED as taught by Robinett to for purpose of providing an advantageous way of saving electrical energy and increasing lifetime.

5. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of Vettori et al. [US 5,975,714].

Regarding claims 9 and 10, Hsu discloses a circuit but does not disclose the rectifying unit, the energy-storage unit, the filtering unit and the voltage-stabilizing unit.

Vetorino et al. discloses the rectifying unit, the energy-storage unit, the filtering unit and the voltage-stabilizing unit in a flashlight circuit (abstract, figure 5).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the circuit of Hsu with the rectifying unit, the energy-storage unit, the filtering unit and the voltage-stabilizing unit as taught by Vetorino et al. for purpose of providing an advantageous way of controlling voltage and current flow to the light source.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. M. McMath [US 2,424,700] discloses a flashlight with a generator; Keiper [US 4,563,629] discloses a flashlight with a control circuit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Truong whose telephone number is (571) 272-2383. The examiner can normally be reached on Monday-Friday (8:00 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 2875

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bao Q. Truong  
Examiner  
Art Unit 2875



**JOHN ANTHONY WARD**  
**PRIMARY EXAMINER**